

**REMARKS**

**I. Telephone interview with Examiner Hargobind S. Sawhney on 29 June 2005.**

A telephone call was made by the undersigned to Examiner Hargobind S. Sawhney on 29 June 2005 to request an oral election to the above restriction requirement; however, Examiner Sawhney did not accept the election. Examiner Sawhney requested that the Applicant submit this written response to the restriction requirement.

## CONCLUSION

Applicant hereby elects Claims 21-34, which are illustrative of the solar-powered lighted umbrella species of Figures 1, 2A-2C, 3A-3C, 4A, and 6, with traverse, in accordance with the applicable Rules of Practice and to advance the prosecution. However, the Restriction Requirement is improper. Accordingly, in traverse, Applicant requests withdrawal of the Restriction Requirement for at least the reasons set forth above. Because Applicant has elected an alleged species and set forth the claims directed to that species, as set forth by the Examiner, this response is complete. The Examiner is invited to contact James E. Walton at (817) 447-9955 with any questions, comments, or suggestions relating to the referenced patent application.

No fee is deemed to be necessary; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayments, to Deposit Account No. **502806**.

**Please link this application to Customer Nos. 50779 and 38441 so that its status may be checked via the PAIR System.**

Respectfully submitted,

6/29/05  
Date

  
\_\_\_\_\_  
James E. Walton, Registration No. 47,245  
Michael Alford, Registration No. 48,707  
Daren C. Davis, Registration No. 38,425  
Law Offices of James E. Walton, P.L.L.C.  
1169 N. Burleson Blvd., Suite 107-328  
Burleson, Texas 76028  
(817) 447-9955 (voice)  
(817) 447-9954 (facsimile)  
[jim@waltonpllc.com](mailto:jim@waltonpllc.com) (e-mail)

**CUSTOMER NOS. 50779 AND 38441**

**ATTORNEYS AND AGENT FOR APPLICANT**